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10 capacity

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF CALIFORNIA  
13 SACRAMENTO DIVISION  
14

15 **X CORP. ,**

16 Plaintiff,

17 **v.**

18 **ROBERT A. BONTA, ATTORNEY GENERAL**  
19 **OF CALIFORNIA, IN HIS OFFICIAL**  
20 **CAPACITY,**

21 Defendant.  
22

2:23-CV-01939-WBS-AC

**JOINT STATUS REPORT**

Date: February 26, 2024

Time: 1:30 p.m.

Judge: Hon. William B. Shubb

Trial Date: None set

Action Filed: Sept. 8, 2023

23 Plaintiff X Corp. and Defendant Attorney General Rob Bonta,  
24 in his official capacity, (collectively, "the Parties") submit  
25 this joint status report in accordance with the Court's December  
26 28, 2023 Order Granting Stipulation to Continue the Status  
27 Conference and For an Extension of Time to File a Joint Status  
28 Report, ECF No. 37. The Parties are concurrently filing a

1 Stipulation to Stay Discovery and Continue the Status (Pretrial  
2 Scheduling) Conference and a proposed order, which are described  
3 below.

4 The Parties previously stipulated and requested that the  
5 Court continue the Status (Pretrial Scheduling) Conference set  
6 for January 16, 2024, because the timing of discovery and other  
7 dates and deadlines in this case would likely be affected by this  
8 Court's ruling on Plaintiff's motion for preliminary injunction  
9 and by any subsequent appeal. See ECF No. 35. The Court granted  
10 the Parties' request and continued the Status (Pretrial  
11 Scheduling) Conference to February 26, 2024. See ECF No. 37.

12 On December 28, 2023, the Court issued an order denying  
13 Plaintiff's motion for preliminary injunction. ECF No. 36.  
14 Plaintiff filed a notice of appeal of that order on January 12,  
15 2024. See ECF No. 38. The Ninth Circuit has issued an order  
16 setting a briefing schedule under which briefing is set to  
17 conclude in early April 2024.

18 In light of the above, the Parties agree that discovery and  
19 the issuance of a scheduling order in the district court should  
20 be postponed until the Ninth Circuit resolves Plaintiff's pending  
21 appeal. That resolution will likely inform the subjects of any  
22 discovery and the timing for discovery deadlines and pre-trial  
23 and trial proceedings. The Parties also agree that no other  
24 issues require resolution at the February 26 (Pretrial  
25 Scheduling) Conference. They therefore respectfully propose that  
26 the Court take the February 26 (Pretrial Scheduling) Conference  
27 off calendar and order the Parties to file a joint status report  
28 within twenty-one days (or other amount of time that the Court

1 prefers) after the Ninth Circuit issues mandate on Plaintiff's  
2 appeal.

3 The Parties have entered into and concurrently filed a  
4 Stipulation to Stay Discovery and Continue the Status (Pretrial  
5 Scheduling) Conference and a proposed order reflecting their  
6 agreement and requests to the Court. The Parties respectfully  
7 ask the Court to adopt the proposed order.

1 Dated: February 8, 2023 Respectfully submitted,

2 ROB BONTA  
3 Attorney General of California  
4 ANTHONY R. HAKL  
5 Supervising Deputy Attorney General  
6 ANNA FERRARI  
7 Deputy Attorney General

8 /s/ Gabrielle D. Boutin  
9 GABRIELLE D. BOUTIN  
10 Deputy Attorney General  
11 Defendant Attorney General Rob Bonta,  
12 in his official capacity

13 Dated: February 8, 2023 /s/ Joel Kurtzberg (as authorized on  
14 February 8, 2024)

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